United Nations A/55/760–S/2001/98

General Assembly
Security Council

Distr.: General
1 February 2001

Original: English

General Assembly
Fifty-fifth session
Agenda items 40, 41 and 85

Security Council
Fifty-sixth year

The situation in the Middle East

Question of Palestine

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Identical letters dated 1 February 2001 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and to the President of the Security Council

I wish to convey to you the serious concern of the Palestinian leadership regarding the possible use by Israel, the occupying Power, of depleted uranium shells against Palestinian targets, especially during the more recent and intensified Israeli military campaign over the last few months. Several reports have indicated that Israel has used such ammunition, causing great anxiety among the Palestinian people in the occupied territory.

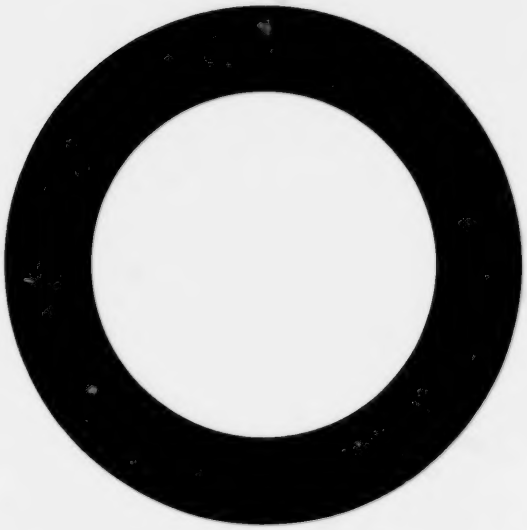
In this connection, on 30 January 2001, the Israeli army issued a press statement in which it stated that "the Israeli army has never utilized these munitions against any civilian population". This language can only indicate that the Israeli army does indeed possess this kind of ammunition in its arsenal and that it has used it in the past. Further, the issue of "civilian population" remains a matter of definition, as Israel has repeatedly indicated in the past. In our opinion, this press statement alone justifies raising the issue in a serious way and calls for field inspection by appropriate, trained inspectors.

We call upon the Secretary-General of the United Nations, in cooperation with the Security Council, to give this important matter the necessary attention, including looking into the possibilities of the above-mentioned inspection.

01-23589 (E) 010201

I should be grateful if you would arrange to have the text of this letter distributed as an official document of the fifty-fifth session of the General Assembly, under agenda items 40, 41 and 85, and of the Security Council.

(*Signed*) Nasser **Al-Kidwa**
Ambassador
Permanent Observer of Palestine to the United Nations



United Nations S/2001/99

Security Council

Distr.: General
2 February 2001
English
Original: Arabic

Identical letters dated 2 February 2001 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and to the President of the Security Council

On instructions from my Government, I have the honour to inform you that there is definite information to the effect that Israel has established a gateway complex at the entrance to the village of Ghajar and that it has excavated a trench there and has set up a 400-metre-long concrete barrier equipped with high-technology devices running parallel to the road leading to Ghajar inside Lebanese territory. This was confirmed by Mr. Staffan de Mistura, Personal Representative of the Secretary-General for southern Lebanon, after visiting the area by helicopter, and is also corroborated by information gathered on the spot by the United Nations Interim Force in Lebanon. These installations were built by Israel and are not the work of the inhabitants of Ghajar, as Israel claims.

The Lebanese Government calls your attention to the extreme gravity of the actions being undertaken by Israel, which constitute a flagrant violation of the Blue Line and a wanton assault on Lebanon's sovereignty and territorial integrity. We urge you to intervene, to call upon Israel to halt these actions and restore the status quo ante and to ensure that Israel bears the consequences of its violation of the Blue Line and of Lebanon's sovereignty and territorial integrity.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Sélim **Tadmoury**
Ambassador
Permanent Representative

01-23748 (E) 020201 020201

United Nations S/2001/100

Security Council

Distr.: General
7 February 2001

Original: English

Note verbale dated 26 January 2001 from the Permanent Representative of Malta to the United Nations addressed to the Secretary-General

The Permanent Representative of Malta to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to refer to note SCA/2/00(7) of 1 June 2000 referring to national measures aimed at the implementation of Security Council resolution 1298 (2000).

The Permanent Representative of Malta has the honour to convey the text of Legal Notice 188 (2000) entitled "*United Nations Sanctions (Ethiopia and Eritrea) Amendment Regulations, 2000*" which fully implements Security Council resolution 1298 (2000).

01-24353 (E) 120201

Annex to the note verbale dated 26 January 2001 from the Permanent Representative of Malta to the United Nations addressed to the Secretary-General

NATIONAL INTEREST (ENABLING POWERS) ACT (CAP. 365)

United Nations Sanctions (Ethiopia and Eritrea) (Amendment) Regulations, 2000

IN EXERCISE of the powers conferred by article 3 of the National Interest (Enabling Powers) Act, the Prime Minister has made the following regulations:-

Citation.

1. The title of these regulations is the United Nations Sanctions (Ethiopia and Eritrea) (Amendment) Regulations, 2000, and shall be read and construed as one with the United Nations Sanctions (Ethiopia and Eritrea) Regulations, 1999, hereinafter called "the principal regulations". L.N. 74 of 1999.

Amends regulation 2 of the principal regulations.

2. In regulation 2 of the principal regulations, for the definition of "Act" there shall be substituted the following:-

""the Act" means the National Interest (Enabling Powers) Act;".

Amends regulation 3 of the principal regulations.

3. For regulation 3 of the principal regulations there shall be substituted the following:-

"3. For the purpose of article 3 (4) of the Act -

(a) Resolution number 1227 (1999) is published in the English language in the First Schedule to these regulations;

(b) Resolution number 1298 (2000) is published in the English language in the Second Schedule to these regulations.".

Adds new regulations 4A and 4B to the principal regulations.

4. Immediately after regulation 4 of the principal regulations there shall be added the following new regulations:-

"Prohibition of sales of *matériel* related to arms.

4A. Notwithstanding any other law, the sale or supply, in any manner whatsoever, by any person in Malta or by any citizen or permanent resident of Malta, whether in Malta or elsewhere, or by using their flag vessels or aircraft, of all types of *matériel* related to arms, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned to Eritrea and Ethiopia, is prohibited.

Prohibition of technical assistance etc

4B. Notwithstanding any other law, the provision to Eritrea and Ethiopia in any manner whatsoever, by any person in Malta or by any citizen or permanent resident of Malta, whether in Malta or elsewhere, of technical assistance or any training related to the provision, manufacture, maintenance or use of any of the items mentioned in regulation 4A, is prohibited.".

Renumbers and adds new Schedule to the principal regulations.

5. The Schedule to the principal regulations shall be renumbered as the First Schedule, and immediately thereafter there shall be inserted the following new Schedule:-

"SECOND SCHEDULE

(Regulation 3)

Resolution 1298 (2000)

Adopted by the Security Council at its 4144th meeting on 17th May, 2000

The Security Council,

Recalling its resolution 1177 (1998) of 26 June 1998, 1226 (1999) of 29 January 1999, 1227 (1999) of 10 February 1999 and 1297 (2000) of 12 May 2000.

Recalling in particular its urging of all States to end all sales of arms and munitions to Eritrea and Ethiopia contained in its resolution 1227 (1999),

Deeply disturbed by the continuation of fighting between Eritrea and Ethiopia,

Deploring the loss of human life resulting from the fighting, and *strongly regretting* the negative impact the diversion of resources to the conflict continues to have on efforts to address the ongoing humanitarian food crisis in the region,

Stressing the need for both parties to achieve a peaceful resolution of the conflict,

Reaffirming the commitment of all Member States to the sovereignty, independence and territorial integrity of Eritrea and Ethiopia,

Expressing its strong support for the efforts of the Organization of African Unity (OAU) to achieve a peaceful resolution of the conflict,

Noting that the proximity talks held in Algiers from 29 April to 5 May 2000 and reported in the OAU Communiqué of 5 May 2000 (S/2000/394) were intended to assist the two parties to arrive at a final detailed peace implementation plan acceptable to each of them, which would lead to the peaceful resolution of the conflict,

Recalling the efforts of the Security Council, including through its Mission to the region, to achieve a peaceful resolution of the situation,

Convinced of the need for further and immediate diplomatic efforts,

Noting with concern that the fighting has serious humanitarian implications for the civilian population of the two States,

Stressing that the hostilities constitute an increasing threat to the stability, security and economic development of the subregion,

Determining that the situation between Eritrea and Ethiopia constitutes a threat to regional peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Strongly condemns* the continued fighting between Eritrea and Ethiopia;

2. *Demands* that both parties immediately cease all military action and refrain form the further use of force;

3. *Demands further* that both parties withdraw their forces from military engagement and take no action that would aggravate tensions;

4. *Demands* the earliest possible reconvening, without preconditions, of substantive peace talks, under OAU auspices, on the basis of the Framework Agreement and the Modalities and of the work conducted by the OAU as recorded in its Communiqué issued by its current Chairman of 5 May 2000 (S/2000/394), which would conclude a peaceful definitive settlement of the conflict;

5. *Requests* that the current Chairman of the OAU consider dispatching urgently his Personal Envoy to the region to seek immediate cessation of hostilities and resumption of the peace talks;

6. *Decides* that all States shall prevent:

(a) the sale or supply to Eritrea and Ethiopia, by their nationals or from their territories, or using their flag vessels or aircraft, of arms and related *matériel* of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, whether or not originating in their territory;

(b) any provision to Eritrea and Ethiopia by their nationals or from their territories of technical assistance or training related to the provision, manufacture, maintenance or use of the items in (a) above;

7. *Decides also* that the measures imposed by paragraph 6 above shall not apply to supplies of non-lethal military equipment intended solely for humanitarian use, as approved in advance by the Committee established by paragraph 8 below;

8. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council, to undertake the following tasks and to report on its work to the Council with its observations and recommendations:

(a) to seek from all States further information regarding the action taken by them with a view to implementing effectively the measures imposed by paragraph 6 above, and thereafter to request from them whatever further information it may consider necessary;

(b) to consider information brought to its attention by States concerning violations of the measures imposed by paragraph 6 above and to recommend appropriate measures in response thereto;

(c) to make periodic reports to the Security Council on information submitted to it regarding alleged violations of the measures imposed by paragraph 6 above, identifying where possible persons or entities, including vessels and aircraft, reported to be engaged in such violations;

(d) to promulgate such guidelines as may be necessary to facilitate the implementation of the measures imposed by paragraph 6 above;

(e) to give consideration to, and decide upon, requests for the exceptions set out in paragraph 7 above;

(f) to examine the reports submitted pursuant to paragraphs 11 and 12 below;

9. *Calls upon* all States and all international and regional organizations to act strictly in conformity with this resolution, notwithstanding the existence of any rights granted or obligations conferred or imposed by any international agreement or of any contract entered into or any licence or permit granted prior to the entry into force of the measures imposed by paragraph 6 above;

10. *Requests* the Secretary-General to provide all necessary assistance to the Committee established by paragraph 8 above and to make the necessary arrangements in the Secretariat for this purpose;

11. *Requests* States to report in detail to the Secretary-General within 30 days of the date of adoption of this resolution on the specific steps they have taken to give effect to the measures imposed by paragraph 6 above;

12. *Requests* all States, relevant United Nations bodies and, as appropriate, other organizations and interested parties to report information on possible violations of the measures imposed by paragraph 6 above to the Committee established by paragraph 8 above;

13. *Requests* the Committee established by paragraph 8 above to make information it considers relevant publicly available through appropriate media, including through the improved use of information technology;

14. *Requests* the Government of Eritrea and Ethiopia and other concerned parties to establish appropriate arrangements for the provision of humanitarian assistance and to endeavour to ensure that such assistance responds to local needs and is safely delivered to, and used by, its intended recipients;

15. *Requests* the Secretary-General to submit an initial report to the Council within 15 days of the date of adoption of this resolution on compliance with paragraphs 2, 3 and 4 above, and thereafter every 60 days after the date of adoption of this resolution on its implementation and on the humanitarian situation in Eritrea and Ethiopia;

16. *Decides* that the measures imposed by paragraph 6 above are established for twelve months and that, at the end of this period, the Council will decide whether the Governments of Eritrea and Ethiopia have complied with paragraphs 2, 3 and 4 above, and accordingly, whether to extend these measures for a further period with the same conditions;

17. *Decides also* that the measures imposed by paragraph 6 above shall be terminated immediately if the Secretary-General reports that a peaceful definitive settlement of the conflict has been concluded;

18. *Decides* to remain seized of the matter.".

United Nations A/ES-10/57–S/2001/101

General Assembly
Security Council

Distr.: General
2 February 2001

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Fifty-sixth year

Identical letters dated 2 February 2001 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and to the President of the Security Council

I am writing to you to inform you of even more Palestinian casualties as a result of the continuing Israeli military campaign against the Palestinian people in the Occupied Palestinian Territory, including Jerusalem. Although the incidence of casualties has decreased as a result of the decreased intensity of the Israeli campaign, that campaign has regrettably continued, as have its countless negative consequences.

Since my last letter to you, dated 16 January 2001, on this grave matter, nine Palestinian civilians have been killed by the Israeli occupying forces, bringing the total number of Palestinian martyrs to 341. (The names of the nine martyrs are contained in the annex to the present letter.) Further, in follow-up to my previous letters in this regard, dated from 29 September to 16 January 2001 (A/55/432-S/2000/921; A/55/437-S/2000/930; A/55/450-S/2000/957; A/55/466-S/2000/971; A/55/474-S/2000/984; A/55/490-S/2000/993; A/ES-10/39-S/2000/1015; A/ES-0/40-S/2000/1025; A/ES-10/42-S/2000/1068; A/ES-10/43-S/2000/1078; A/ES-10/44-S/2000/1093; A/ES-10/45-S/2000/1104; A/ES-10/46-S/2000/1107; A/ES-10/47-S/2000/1116; A/ES-10/48-S/2000/1129; A/ES-10/49-S/2000/1154; A/ES-10/50-S/2000/1173; A/ES-10/51-S/2000/1185; A/ES-10/52-S/2000/1206; A/ES-10/53-S/2000/1247; A/ES-10/54-S/2001/7; A/ES-10/55-S/2001/33; and A/ES-10/56-S/2001/50), I wish to inform you that the number of Palestinians injured and wounded by the occupying forces has also unfortunately risen in recent weeks.

I should be grateful if you would arrange to have the text of the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly, and of the Security Council.

(*Signed*) Nasser **Al-Kidwa**
Ambassador
Permanent Observer of Palestine to the United Nations

01-23761 (E) 020201

Annex to the identical letters dated 2 February 2001 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and to the President of the Security Council

Names of martyrs killed by Israeli security forces in the Occupied Palestinian Territory, including Jerusalem (Tuesday, 16 January through Thursday, 1 February 2001)

Tuesday, 16 January 2001

Walid Khalil Al-Awady

Sunday, 21 January 2001

Mohammed Shareef El-Shareef (17 years old)

Tuesday, 23 January 2001

Aisha Abdel Karim Nassar

Thursday, 25 January 2001

Safwat Essam Kishtah (16 years old)

Khalil Samir Al-Sindi

Monday, 29 January 2001

Mohammed Majid Abu Musa

Wednesday, 31 January 2001

Ismail Mohammed Al-Tilbani

Thursday, 1 February 2001

Saber Freij Abu Daher

Mohammed Meheissen (18 years old)

United Nations S/2001/102

Security Council

Distr.: General
5 February 2001

Original: English

Letter dated 1 February 2001 from the Chairperson of the Security Council Committee established pursuant to resolution 1160 (1998) addressed to the President of the Security Council

I have the honour to transmit herewith the annual report of the Security Council Committee established pursuant to resolution 1160 (1998) (see annex). The present report, which was adopted by the Committee on 31 January 2001, is being submitted pursuant to the note by the President of the Security Council dated 29 March 1995 (S/1995/234).

(*Signed*) M. Patricia **Durrant**
Chairperson
Security Council Committee
established pursuant to resolution 1160 (1998)

01-23791 (E) 050201

Annex

Report of the Security Council Committee established pursuant to resolution 1160 (1998)

1. The Security Council Committee established pursuant to resolution 1160 (1998) is submitting the present report to the Council in accordance with the provisions of paragraph 9 of the aforementioned resolution, which was adopted by the Council on 31 March 1998. The report covers the work of the Committee from 1 January to 31 December 2000.

I. Mandate of the Committee

2. During the period covered by this report, no modification was made by the Security Council to the mandate of the Committee as outlined in its resolutions 1160 (1998) and 1199 (1998).

3. Following consultations, the members of the Security Council agreed to elect Ambassador M. Patricia Durrant (Jamaica), as Chairperson and the delegations of Tunisia and the Netherlands as Vice-Chairmen of the Committee for 2000.

4. The Committee held several formal and informal meetings. The present report was adopted by the Committee on 31 January 2001.

II. Status of the implementation of Security Council resolution 1160 (1998)

5. No reply was received in 2000 concerning the measures that States had been requested to institute in meeting the obligations set out in paragraph 12 of resolution 1160 (1998).

6. The United Kingdom of Great Britain and Northern Ireland submitted three requests for approval to transfer demining equipment to humanitarian demining organizations working for the United Nations Interim Administration Mission in Kosovo (UNMIK) in Kosovo, Federal Republic of Yugoslavia. The Committee approved all of the submitted requests under the no-objection procedure.

7. In a letter dated 14 April 2000 from the President of the Security Council to the Secretary-General (S/2000/320), the Council mandated the Security Council mission on the implementation of Security Council resolution 1244 (1999), inter alia, to review the ongoing implementation of the prohibitions imposed by the Council in its resolution 1160 (1998).

8. On 20 June 2000, the Committee addressed a letter to the Secretary-General informing him of the report of the mission (S/2000/363) with regard to the implementation of resolution 1244 (1999). In the letter, the Committee referred to paragraph 15 of the report, which highlighted the discussions the mission had held with KFOR on strengthening the monitoring by the Committee of the arms embargo imposed under resolution 1160 (1998). The Committee further stated that on 14 June 2000 members of the Committee had supported the findings of the mission contained in paragraph 34 of the report, in particular, that detailed information on KFOR's activities in the implementation of Security Council resolution 1160 (1998) which related to the arms embargo imposed under resolution 1160 (1998) should be provided by the Secretary-General of the North Atlantic Treaty Organization (NATO) to the Committee, on a regular basis, as that would greatly assist it in its work.

9. At its meeting held on 27 June 2000, the Committee approved its annual report for 1999 (S/2000/633) and submitted it to the Security Council.

10. On 27 June 2000, the Committee addressed a letter to the Under-Secretary-General for Disarmament Affairs requesting advice on the nature of MI-8 helicopters, in connection with the Bulgarian News Agency — BTA report that a Bulgarian lorry had been detained on 18 June owing to the lack of a special permit for the export of Bulgarian-made spare parts for MI-8 helicopters to the Federal Republic of Yugoslavia. The Department for Disarmament Affairs replied that MI-8 helicopters could be used both for military and civilian purposes.

11. On 25 July 2000, the Committee expressed its gratitude to the Government of the former Yugoslav Republic of Macedonia for the information it had provided on two incidents in which arms trafficking on its territory in contravention of resolution 1160 (1998)

had been thwarted, with a request to submit a further update upon completion of the investigation. On 11 December, in a further letter to the Government, the Committee once again expressed its interest in being informed about the outcome of the investigation. No further information has been received to date.

12. On 18 August 2000, the Committee received a letter from the Government of Bulgaria, requesting approval for the export of a chemical substance called pentaerythritol tetranitrate to the Federal Republic of Yugoslavia. Bulgaria claimed that the chemical substance would be used in the manufacture of medications. The Committee discussed the request and raised no objection to the shipment.

13. On 21 August 2000, the Committee sent a letter to the Government of Bulgaria, in connection with the instance of violations reported by the former Yugoslav Republic of Macedonia, requesting Bulgaria to undertake an investigation, bearing in mind that Bulgaria had been mentioned by the former Yugoslav Republic of Macedonia as an exporter of gunpowder to the Federal Republic of Yugoslavia. The Committee received a response from Bulgaria on 12 September 2000 informing it that the gunpowder explosives exported from Bulgaria to the former Yugoslav Republic of Macedonia had been intended for the national defence of the latter. The Bulgarian authorities claimed that the transaction was legal and in full compliance with Bulgaria's international obligations.

14. On 17 November 2000, the Committee decided to request Switzerland to provide any information regarding an incident reported in the mass media that had occurred in Switzerland in contravention of resolution 1160 (1998).

III. Cooperation with regional organizations

15. The Committee received no reports on violations and alleged violations of the sanctions measures from regional and international organizations during the reporting period.

IV. Violations and allegations of violations

16. On 5 June 2000, the former Yugoslav Republic of Macedonia informed the Committee of violations of the prohibitions established by the Security Council in its resolution 1160 (1998) and of the country's actions to prevent arms trafficking in its territory. The Committee also received several reports on KFOR activities and reports on activities of the Stabilization Force (SFOR). Both international presences reported no violations. The Committee, in discharging its mandate, relied for the most part upon information gathered by the Secretariat from public sources. Such information indicated that violations of the prohibitions established by the Security Council in its resolutions 1160 (1998) and 1199 (1998) might have occurred.

V. Observations and recommendations

17. The work of the 1160 Sanctions Committee continued to be affected by the absence of an effective comprehensive monitoring mechanism to ensure the effective implementation of the arms embargo and other prohibitions and by the lack of information on possible violations. The limited information provided by the Secretariat, from public sources on possible violations, did not allow the Committee to discharge its mandate fully.

18. The Committee stresses the need for effective implementation of the prohibitions established by the Security Council in its resolution 1160 (1998). Given that the primary responsibility for the implementation of the prohibitions lies with States, the Committee would have welcomed a more proactive approach by Governments, especially from those of neighbouring countries, to the implementation of the established prohibitions, especially with regard to their reporting on possible violations and actions taken to prevent such violations.

19. The Committee observes that no further States have transmitted any specific information pursuant to paragraph 12 of resolution 1160 (1998) on steps taken to give effect to the prohibitions contained in paragraph 8 of the resolution. The Committee therefore urges all States that have not yet done so to comply with the request in paragraph 12 of resolution 1160 (1998).

20. The Committee welcomes the coming to power of the new leadership in the Federal Republic of Yugoslavia and its policy of democratic reforms.

United Nations A/55/762–S/2001/103

General Assembly
Security Council

Distr.: General
2 February 2001

Original: English

General Assembly
Fifty-fifth session
Agenda item 164
Measures to eliminate international terrorism

Security Council
Fifty-sixth year

Letter dated 2 February 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

I wish to draw your attention to several incidents of Palestinian terrorism which have claimed the lives of four Israelis in the past week.

On the evening of Thursday, 25 January 2001, 45-year-old Jerusalem resident, Akiva Pashkos, was shot dead near the Atarot industrial zone, just north of the city. Pashkos, who worked as a manager in a tissue factory in Atarot, had taken several Arab workers from the factory to the A-Ram junction in his van and dropped them off at about 6.30 p.m. On his way back, at the southern entrance to Atarot, close to the Arab village of Bir Naballah, several shots were fired at his car, and he was fatally wounded. Soldiers who raced to the scene also came under fire from the gunmen, but there were no casualties. The area of the Atarot industrial zone has been the scene of repeated shooting, stone-throwing, and firebombing attacks over the past four months.

On Monday, 29 January, 55-year-old Arieh Hershkovitz, a father of four and a grandfather of four, died in a hail of bullets fired from a passing vehicle as he drove on the highway between the Rama junction and Adam (Geva Binyamin). Hershkovitz was travelling to the town of Beit El when he stopped to pick up Yonathan Ben-Ami, who was hitchhiking home. The pair were travelling east when terrorists in a red vehicle opened fire at their car and fled towards the nearby Palestinian-controlled area. At least three bullets passed through the car's windshield, fatally wounding Hershkovitz. Ben-Ami was unhurt and managed to escape and alert the authorities.

The third victim was 23-year-old Lior Attiah, an Israeli civilian from the northern town of Afula, who was fatally shot yesterday, 1 February, on the outskirts of the Palestinian-controlled town of Jenin. Reports indicate that Attiah, who was accompanied by a friend, Mohammad Zuabi of Nazareth, was supposed to be meeting Palestinian acquaintances to pick up his car. The meeting took place on a side road, about 100 metres from a Palestinian police checkpoint. Upon arrival, Attiah was shot in the head, chest and stomach by Palestinian gunmen before being evacuated to a hospital in Jenin. From there, he was transferred to the Israeli Defence Forces and then on to a hospital in Afula where he died shortly thereafter.

01-23780 (E) 020201

Zuabi managed to get away, making it back to the Israeli army checkpoint where he reported the incident.

In the most recent attack, Dr. Shmuel Gillis, a 42-year-old father of five, was murdered as he returned home from Jerusalem in his car. A senior physician at Hadassah Hospital in Jerusalem, Dr. Gillis was travelling south from Jerusalem shortly before 8 p.m. when Palestinian gunmen fired at least 10 bullets into his car, hitting him in the neck and chest and causing the car to overturn by the side of the road.

These murders, which have taken place amidst intensive negotiations between Israelis and Palestinians at Taba, Egypt, are the four latest in a steady series of attacks directed at Israeli civilians in recent weeks. I have detailed these attacks in a number of letters addressed to you, most recently in my letter dated 25 January 2001 (A/55/748-S/2001/81), which recalled the murders of Motti Dayan and Etgar Zeitouny near the Palestinian-controlled town of Tulkarm, and in my letter of 23 January 2001 (A/55/742-S/2001/71) which detailed the murders of Ofir Rahum and Ronni Tsalah. These attacks followed a series of bombings in Jerusalem, Tel-Aviv and other locations which killed six Israelis and wounded well over 60 and which were reported in my letters dated 28 December 2000 (A/55/719-S/2000/1252), 22 November 2000 (A/55/641-S/2000/1114), 20 November 2000 (A/55/634-S/2000/1108), and 2 November 2000 (A/55/540-S/2000/1065). These latest murders bring to 51 the total of Israelis killed in terrorist attacks since the outbreak of violence in late September.

The recent wave of attacks has targeted Israeli civilians who were engaged in entirely peaceful activities. Increasingly, Israelis in all areas of the country have become targets as they travel on roads, use public transportation, shop in the marketplace, and even sit peacefully in their homes. The Palestinian Authority has done virtually nothing to curb the violence, and in fact continues to encourage it through official media outlets and other means.

Israel therefore continues to hold the Palestinian Authority responsible for these attacks, in light of both the Palestinian Authority's ongoing incitement to violence as well as the fundamental commitment made by Palestinian Authority Chairman Yassir Arafat in his letter of 9 September 1993, which formed the bedrock for more than seven years of peacemaking. In the letter, Chairman Arafat committed the Palestinian leadership to peacefully resolving the conflict and to renouncing the use of violence and terrorism. More importantly, Chairman Arafat resolved to ensure the compliance of all elements and personnel under his authority, to prevent violations and discipline violators.

The failure of the Palestinian leadership to abide by this commitment has directly contributed to the outbreak of violence and to the proliferation of terrorist attacks in recent months. A final peace settlement can only be sustained by a fundamental commitment to non-violence and Israel calls upon the Palestinian leadership to reaffirm its allegiance to that principle.

I should be grateful if you would arrange to have the text of this letter circulated as a document of the General Assembly, under agenda item 164, and of the Security Council.

(*Signed*) Yehuda **Lancry**
Permanent Representative

United Nations S/2001/104

Security Council

Distr.: General
2 February 2001
English
Original: French

Letter dated 31 January 2001 from the Permanent Representative of Sweden to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the conclusions of the General Affairs Council of the European Union on the Western Balkans (Federal Republic of Yugoslavia/Serbia), issued on 23 January 2001 (see annex).

I should be grateful if you could arrange to have the text of this letter and its annex circulated as a document of the Security Council.

(*Signed*) Pierre **Schori**
Permanent Representative

01-23797 (E) 050201 050201

Annex to the letter dated 31 January 2001 from the Permanent Representative of Sweden to the United Nations addressed to the Secretary-General

[Original: English and French]

Conclusions of the General Affairs Council of the European Union on the Western Balkans (Federal Republic of Yugoslavia/Serbia)

The Council welcomes the free and fair conditions in which the legislative elections in Serbia in December were held. Their outcome confirms the determination of the people of Serbia to continue the consolidation of democracy in their country, initiated with the election last September of the President of the Federal Republic of Yugoslavia. The European Union looks forward to the formation of the new Serbian government.

Policies of democratic and economic reform, reconciliation and regional cooperation, will bring the Federal Republic of Yugoslavia closer to the European Union, through the "Stabilization and Association Process", in line with the Council's conclusions of May 1999.

To this end the Council underlines the need for the Federal Republic of Yugoslavia, like the other countries in the region, to meet the criteria of the European Union's "regional approach" agreed by the Council in 1997, building on commitments made by all participants at the Zagreb Summit, as regards respect for democratic principles, human rights and the rule of law, full cooperation with the International Tribunal for the Former Yugoslavia, respect for and protection of minorities, market economy reforms, regional cooperation, and compliance with obligations under Dayton/Paris and Security Council resolution 1244 (1999).

The Council recalls the important political and financial efforts already made by the European Union to encourage the consolidation of democracy and reforms in the Federal Republic of Yugoslavia. As a further sign of its support, it decided to send a European Union Ministerial troika to Belgrade in early February.

The Council urges the authorities in Belgrade as well as in Podgorica to agree on an open and democratic process, within an overall Federal framework, to decide on a new constitutional arrangement for the relations between the components of the Federation acceptable to all the parties. The Council welcomes the readiness shown by President Kostunica to play a constructive role to that end. It underlines the importance of avoiding any unilateral action which could jeopardize this negotiating process and to ensure the democratic legitimacy of its outcome. It reaffirms its conviction that any renegotiation of the Federal relationship must be consistent with the internal stability of the Federal Republic of Yugoslavia and the regional stability of South Eastern Europe.

The Council also calls for speedy release of Kosovo Albanian and other prisoners held without charge or on political grounds, as well as the accounting of missing persons from all sides.

The European Union strongly condemns the violence and illegal actions by ethnic Albanian armed groups in Southern Serbia and particularly in the Ground Safety Zone, and calls for an immediate and complete cessation of violence in this

area. The European Union welcomes the commitment of the Yugoslav authorities to respect the provisions of Security Council resolution 1244 (1999) and the Military Technical Agreement and encourages them to continue to work towards a peaceful settlement based on democratic principles and full respect for human rights, fundamental freedoms and equality of all citizens and national communities.

The Council thanks and congratulates Mr. Kouchner for the remarkable work he has accomplished under difficult circumstances. It reiterates the European Union's full support to Mr. Haekkerup who has taken over the functions as Special Representative of the Secretary-General of the United Nations to Kosovo. The Council restates the need for implementation of Security Council resolution 1244 (1999) in all its parts.

In line with its conclusion of 20 November 2000 and with the final declaration of the Zagreb Summit, the Council approved the terms of reference for the high-level European Union/Albania Steering Group.

United Nations S/2001/105

Security Council

Distr.: General
5 February 2001

Original: English

Letter dated 2 February 2001 from the Chairman of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone addressed to the President of the Security Council

I have the honour to refer to resolution 1171 (1998), adopted by the Security Council on 5 June 1998, concerning Sierra Leone. In paragraph 4 of the resolution, the Committee is required to report to the Council on notifications received from States on the export of arms and related matériel to Sierra Leone, as well as on notifications of imports of arms and related matériel made by the Government of Sierra Leone.

Accordingly, I wish to inform you that the Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone received a notification on 2 February 2001, from the Government of the United Kingdom of Great Britain and Northern Ireland, of export of the following arms and related material to the Government of Sierra Leone for use by the Sierra Leone Army:

576 x 7.62 mm self-loading rifles

This equipment arrived at Lungi International Airport on 21 December 2000.

(*Signed*) Anwarul Karim **Chowdhury**
Chairman
Security Council Committee established
pursuant to resolution 1132 (1997)
concerning Sierra Leone

01-23873 (E) 050201

United Nations S/2001/106

Security Council

Distr.: General
5 February 2001

Original: English

Letter dated 5 February 2001 from the Permanent Representative of Germany to the United Nations addressed to the President of the Security Council

I should like to express my Government's sincere appreciation for the most timely high-level meeting of the Security Council with the Presidency of the Economic Community of West African States (ECOWAS) on 9 February 2001 to discuss the issue of the "force d'interposition" that could be deployed in the border areas of Guinea and Liberia.

The deteriorating security situation along the borders of Guinea and Liberia, characterized by armed cross-border incursions, deserves our full attention. The Federal Government is especially concerned by the deteriorating humanitarian situation of refugees and of the Guinean population in areas where armed hostilities prevent international aid agencies from distributing relief supplies.

The Federal Government is looking forward to contributing to the efforts of the Security Council, ECOWAS and other Member States to maintain international peace and security in the region.

I should like to inform you that Germany has already donated 10 satellite telephones, worth DM 50,000, to ECOWAS, and is currently considering making available an amount of up to DM 500,000 to the Community for support of activities such as air-lifts and/or purchase of civilian equipment.

I should like to ask you that the present letter be distributed as a document of the Security Council.

(*Signed*) Dieter **Kastrup**
Ambassador
Permanent Representative

01-23885 (E) 050201

United Nations S/2001/107

Security Council

Distr.: General
5 February 2001
English
Original: French

Letter dated 5 February 2001 from the Secretary-General addressed to the President of the Security Council

I have the honour to transmit to you herewith the text of a letter dated 2 February 2001 from the Director General of the International Atomic Energy Agency (see annex).

I should be grateful if you would bring this letter to the attention of all the members of the Security Council.

(*Signed*) Kofi A. **Annan**

01-23908 (E) 060201 060201

Annex

[Original: English]

Letter dated 2 February 2001 from the Director General of the International Atomic Energy Agency addressed to the Secretary-General

You will recall that in the statement of 4 November 1994 (S/PRST/1994/64) by the President of the Security Council regarding the Democratic People's Republic of Korea, the Security Council, inter alia, requested the International Atomic Energy Agency (IAEA) "to continue to report to it on the implementation of the Safeguards Agreement". In this regard, and to follow up my letter to you of 17 December 1999, I enclose a copy of my written report about the Democratic People's Republic of Korea (GC(44)/16 of 4 August 2000) submitted to the General Conference of the IAEA at its forty-fourth regular session (see enclosure I), and of resolution GC(44)/RES/26 adopted by the Conference on 22 September 2000 (see enclosure II).

Since my letter to you of 17 December 1999, the Agency has maintained a continuous inspector presence in Nyongbyon to monitor the freeze of the Democratic People's Republic of Korea's graphite moderated reactors and related facilities foreseen in the Agreed Framework of October 1994 between the Democratic People's Republic of Korea and the United States of America. There has been no change in the basis on which we are doing so: the Democratic People's Republic of Korea continues to accept Agency activities solely within the context of the Agreed Framework and not under its Safeguards Agreement with the Agency, which is binding and remains in force.

At the meeting of the Board of Governors on 7 June 2000, I explained the ongoing lack of progress on key issues. I also noted that the Agency's Safeguards Implementation Report for 1999 had recorded the continuing inability of the Agency to verify the correctness and completeness of the Democratic People's Republic of Korea's initial declaration of nuclear material and hence our inability to conclude that there has been no diversion of nuclear material in the Democratic People's Republic of Korea.

In my speech to the General Conference on 18 September 2000 about the Democratic People's Republic of Korea, I explained that, although technical discussions with the Democratic People's Republic of Korea had enabled some minor, day-to-day problems to be solved, there had been no significant change in the overall assessment to the previous General Conference. I said that I hoped this would change. I also noted recent positive developments in the Korean peninsula and expressed the hope previously expressed to the Board of Governors that the Democratic People's Republic of Korea would take the steps necessary to normalize its relations with the Agency. This would make it possible for us to provide the assistance being sought by the Democratic People's Republic of Korea in such areas as nuclear safety and nuclear liability.

In the light of all the information then available and of my report to this year's IAEA General Conference, the Conference adopted resolution GC(44)/RES/26. This, inter alia, noted with continuing concern that the Agency continues to be unable to verify the correctness and completeness of the initial declaration of

nuclear material made by the Democratic People's Republic of Korea; and urged the Democratic People's Republic of Korea to come into full compliance with its Safeguards Agreement with the Agency, to cooperate fully and promptly with the Agency in the implementation of that Agreement, and to take all steps the Agency may deem necessary to preserve all information relevant to verifying the correctness and completeness of the initial report.

At the last round of technical discussions with the Democratic People's Republic of Korea in November 2000, the Agency representatives noted that this verification process could take 3 to 4 years to complete. They noted also that it would require full cooperation on the part of the Democratic People's Republic of Korea. Agency representatives expressed a willingness to start the necessary work at any time with a view to the Democratic People's Republic of Korea coming into full compliance with its Safeguards Agreement at an early date.

I should be grateful if you would bring this letter and its enclosures to the attention of the Security Council, to which I will continue to report developments.

(*Signed*) Mohamed **ElBaradei**

Enclosure I

International Atomic Energy Agency
GENERAL CONFERENCE

GC

GC(44)/16
4 August 2000

GENERAL Distr.
Original: ENGLISH

Forty-fourth regular session of the General Conference
Item 19 of the provisional agenda
(GC(44)/1)

IMPLEMENTATION OF THE AGREEMENT BETWEEN THE AGENCY AND THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA FOR THE APPLICATION OF SAFEGUARDS IN CONNECTION WITH THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

Report by the Director General to the General Conference

1. In resolution GC(43)/RES/3 of 1 October 1999, the General Conference, inter alia, decided to include in the agenda for its forty-fourth regular session an item entitled:

"Implementation of the Agreement between the Agency and the Democratic People's Republic of Korea for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear weapons."

This report is to provide information to the General Conference in its consideration of item of its agenda.

THE SITUATION PREVAILING AT THE TIME OF THE FORTY-THIRD REGULAR SESSION OF THE GENERAL CONFERENCE

2. The Director General's report (GC(43)/23 of 25 August 1999) to the General Conference in 1999 made clear that the Agency was continuing to monitor the freeze on the DPRK's graphite-moderated reactors and related facilities. It also made clear that co-operation from the DPRK remained limited. Although technical discussions had enabled some day-to-day problems to be solved, there was still no progress on a number of important issues which had remained outstanding since the Agency started, in November 1994, to monitor the freeze. Such issues included the preservation of information required for verifying the accuracy and completeness of the DPRK's initial declaration under its Safeguards Agreement (INFCIRC/403); its refusal to accept certain safeguards measures at its reprocessing plant; and the limitations which the DPRK had imposed on inspector access to technical support buildings at facilities subject to the freeze. The DPRK had also not enabled the Agency to assess the total amount of plutonium in the spent fuel rods from the 5 MW(e) reactor. The Director General's report also gave an account of the two rounds of technical

discussions with the DPRK which had taken place since the 1998 General Conference, and noted the conclusion, in the Safeguards Implementation Report (SIR) for 1998, with regard to the DPRK. It said also that, at a time when the canning operation at the DPRK's 5 MW(e) Experimental Power Reactor was nearing completion, and the time envisaged under the Agreed Framework for the delivery of key nuclear components of the Light Water Reactor (LWR) project was drawing nearer, the Secretariat would be focusing on the preparatory work required for the verification of the correctness and completeness of DPRK's initial declaration. The overall conclusion in the Director General's report was that the co-operation from the DPRK side remained limited and continued to be linked, as in the past, to the DPRK's perception on progress in implementing the Agreed Framework between the DPRK and the United States of America.

3. In the light of the lack of progress on important issues, and of the Director General's report in document GC(43)/23, the General Conference adopted resolution GC(43)/RES/3. This, inter alia, expressed concern over the continuing non-compliance of the DPRK with its Safeguards Agreement. It also urged the DPRK to co-operate fully with the Agency in the implementation of that agreement and to take all steps that the Agency may deem necessary to preserve all information relevant to verifying the accuracy and completeness of the DPRK's initial report on its inventory of nuclear material subject to safeguards until it comes into full compliance with its Safeguards Agreement.

DEVELOPMENTS SINCE THE FORTY-THIRD REGULAR SESSION OF THE GENERAL CONFERENCE

4. Since last year's General Conference, the Agency has maintained a continuous inspector presence in the DPRK to monitor the freeze. At the end of April 2000, the US and DPRK teams completed the canning of the fuel rods which could be retrieved from the spent fuel pond of the 5MW(e) Experimental Power Reactor. However, there have been no major new developments to change the assessments which the Director General gave to the Board of Governors in December 1999, March 2000, and June 2000. Thus, co-operation from the DPRK side remains limited. At the December 1999 Board meeting, the Director General expressed the hope that the DPRK would soon be in a position to expand the level of its co-operation and also to normalise its relations with the Agency.

5. The technical discussions with the DPRK (see paragraphs 6 - 7 below) have enabled further, day-to-day problems to be resolved. For example, the DPRK has agreed to the installation of digital surveillance to replace the analogue systems, which the Agency is phasing out worldwide. It has also agreed to Agency proposals for repackaging slags and ashes containing uranium for long-term storage at the fuel rod fabrication plant. However, the DPRK still needs to provide all of the access required for Agency inspectors to certain technical buildings at facilities subject to the freeze. It also continues to refuse certain safeguards measures at its reprocessing plant, and to allow the Agency to make measurements to assess the total plutonium in the spent fuel rods of the 5 MW(e) Experimental Power Reactor. The DPRK also declines sampling of graphite blocks for the DPRK's 50 MW(e) Power Reactor under construction, a measure which could confirm whether the graphite is of nuclear grade, and hence a key component of the reactor subject to the freeze. Additionally, the Agency has not been allowed to take environmental samples even at nuclear facilities in the DPRK which are not subject to the freeze.

6. Two more rounds of technical discussions with the DPRK have taken place since last year's General Conference: on 13-16 December 1999 in Vienna and on 10-12 May 2000 at Mt Myohan in the DPRK. At the meeting of the Board of Governors on 20 March 2000, the Director General reported that the thirteenth round of technical talks had not resulted in any progress on key issues and that little that was tangible had been achieved with regard to the preservation of information. Regarding the latter, the Agency inspectors have had access, since February 2000, to the records at facilities subject to and not subject to the freeze in order to identify, list and describe their contents. Work on establishing a baseline of records continues, but there has been no progress on the preservation of information other than records, or on the methods to be used to preserve information. In the Board of Governors meeting the Director General reiterated again the wish of the Secretariat for better progress on this, and other outstanding issues, and noted that construction work on the LWR project had started in February 2000 after site preparation. He stated that, as foreseen in the Agreed Framework, the DPRK must come into full compliance with its Safeguards Agreement when a significant portion of the LWR project has been completed but before the delivery of key nuclear components. This, in turn, means that the DPRK must co-operate with the agency with regard to the verification of the correctness and completeness of its initial declaration.

7. In his statement to the Board of Governors on 5 June 2000, the Director General again noted that no agreement had been reached on any of the long-standing issues during the fourteenth round of technical talks. He also stressed, inter alia, that the DPRK must preserve all of the information required for the verification of the initial declaration and also that the verification process in the case of a country with significant nuclear facilities can take a number of years to complete.

8. In the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), the Conference noted with concern that, while the DPRK remained a party to the Non-Proliferation Treaty, the IAEA continued to be unable to verify the correctness and completeness of the DPRK's initial declaration and was therefore unable to conclude that there had been no diversion of nuclear material in the DPRK. The Conference also stated that it looked forward to the fulfilment by the DPRK of its stated intention to come into full compliance with its Safeguards Agreement, which remains binding and in force. The Conference also emphasised the importance of action by the DPRK to preserve and to make available to the IAEA all information needed to verify its initial inventory.

Enclosure II

International Atomic Energy Agency
GENERAL CONFERENCE

GC(44)/RES/26
September 2000

GENERAL Distr.
Original: ENGLISH

Forty-fourth regular session
Item 20 of the agenda
(GC(44)/21)

IMPLEMENTATION OF THE AGREEMENT BETWEEN THE AGENCY AND THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA FOR THE APPLICATION OF SAFEGUARDS IN CONNECTION WITH THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

Resolution adopted on 22 September 2000 at the ninth plenary meeting

The General Conference,

(a) Recalling the Board of Governors' resolutions GOV/2636, GOV/2639, GOV/2645, GOV/2692, GOV/2711 and GOV/2742 and General Conference resolutions GC(XXXVII)/RES/624, GC(XXXVIII)/RES/16, GC(39)/RES/3, GC(40)/RES/4, GC(41)/RES/22, GC(42)/RES/2 and GC(43)/RES/3,

(b) Noting with concern the lack of progress reflected in the Director General's report contained in document GC(44)/16 and his introductory statement of 11 September 2000 to the Board of Governors,

(c) Recalling further resolution 825 (1993) adopted by the Security Council of the United Nations on 11 May 1993 and 31 March 1994, 30 May 1994 and 4 November 1994 statements by the President of the United Nations Security Council, particularly the request to take all steps the Agency may deem necessary to verify full compliance by the Democratic People's Republic of Korea (DPRK) with its safeguards agreement with the Agency,

(d) Noting that the DPRK remains a party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and reaffirming that the IAEA-DPRK safeguards agreement (INFCIRC/403) under the NPT remains binding and in force,

(e) Noting also the stated intention of the DPRK to come into full compliance with the safeguards agreement and the continuing IAEA-DPRK discussions on outstanding safeguards issues,

(f) Noting with regret that in these discussions no progress has been made on important issues such as the preservation of information,

(g) Noting that additional factors, as described in the Director General's report contained in document GC(44)/16 and in his introductory statement of 11 September 2000 to the Board of Governors, further underline the need for full and timely co-operation by the DPRK with the Agency in regard to the verification of the completeness and correctness of the DPRK's initial declaration,

(h) Regretting the withdrawal of the DPRK from the Agency and expressing the hope that the DPRK will rejoin, and

(i) Welcoming recent positive developments in north-east Asia and expressing the hope that they will open the way to progress towards full implementation of the relevant agreements,

1. Strongly endorses actions taken by the Board of Governors and commends the Director General and the Secretariat for their impartial efforts to implement the IAEA-DPRK safeguards agreement;

2. Recognizes the important role of the IAEA in monitoring the freeze of nuclear facilities in the DPRK and commends the Secretariat for its continuous efforts to monitor the freeze of specified facilities in the DPRK as requested by the United Nations Security Council;

3. Notes with continuing concern that, although the DPRK remains a party to the NPT, the Agency continues to be unable to verify the correctness and completeness of the initial declaration of nuclear material made by the DPRK and is therefore unable to conclude that there has been no diversion of nuclear material in the DPRK;

4. Urges the DPRK to come into full compliance with its safeguards agreement with the Agency, to co-operate fully and promptly with the Agency in the implementation of the safeguards agreement and to take all steps the Agency may deem necessary to preserve all information relevant to verifying the accuracy and completeness of the DPRK's initial report on the inventory of nuclear material subject to safeguards until the DPRK comes into full compliance with its safeguards agreement; and

5. Decides to remain seized of this matter and include in the agenda for its forty-fifth regular session an item entitled "Implementation of the agreement between the Agency and the Democratic People's Republic of Korea for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons".

United Nations S/2001/108

Security Council

Distr.: General
8 February 2001

Original: English

Draft resolution

The Security Council,

Recalling its resolutions 808 (1993) of 22 February 1993, 827 (1993) of 25 May 1993, 1166 (1998) of 13 May 1998 and 1329 (2000) of 30 November 2000,

Having decided to consider the nominations for Permanent Judges of the International Tribunal for the Former Yugoslavia received by the Secretary-General by 31 January 2001,

Forwards the following nominations to the General Assembly in accordance with article 13 bis (1) (d) of the Statute of the International Tribunal:

Mr. Carmel A. **Agius** (Malta)

Mr. Richard Allen **Banda** (Malawi)

Mr. Mohamed Amin El Abbassi **Elmahdi** (Egypt)

Mr. Mohamed El Habib **Fassi Fihri** (Morocco)

Mr. David **Hunt** (Australia)

Mr. Claude **Jorda** (France)

Mr. O-gon **Kwon** (Republic of Korea)

Mr. **Liu** Daqun (China)

Mr. Abderraouf **Mahbouli** (Tunisia)

Mr. Richard George **May** (United Kingdom of Great Britain and Northern Ireland)

Mr. Theodor **Meron** (United States of America)

Mrs. Florence Ndepele Mwachande **Mumba** (Zambia)

Mr. Rafael **Nieto Navia** (Colombia)

Mr. Leopold **Ntahompagaze** (Burundi)

Mr. Alphonsus Martinus Maria **Orie** (Netherlands)

Mr. Fausto **Pocar** (Italy)

Mr. Jonah **Rahetlah** (Madagascar)

Mr. Patrick Lipton **Robinson** (Jamaica)

Mr. Almiro Simões **Rodrigues** (Portugal)

01-24335 (E) 080201

Ms. Miriam Defensor **Santiago** (Philippines)

Mr. Wolfgang **Schomburg** (Germany)

Mr. Mohamed **Shahabuddeen** (Guyana)

Mr. Demetrakis **Stylianides** (Cyprus)

Mr. Krister **Thelin** (Sweden)

Mr. Volodymyr **Vassylenko** (Ukraine)

Mr. Karam Chand **Vohrah** (Malaysia)

United Nations S/2001/109

Security Council

Distr.: General
6 February 2001
English
Original: Arabic

Letter dated 5 February 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 4 February 2001 from Mr. Tariq Aziz, Deputy Prime Minister and Deputy Minister for Foreign Affairs of the Republic of Iraq, concerning contracts for the Iraqi Meteorological and Seismological Authority under phase VII of the memorandum of understanding. Six contracts are involved, and have been placed on hold by the representative of the United States on the Security Council Committee established by resolution 661 (1990).

The Deputy Prime Minister and Deputy Minister for Foreign Affairs requests you to exert every effort with a view to lifting the holds placed on the aforementioned and other humanitarian contracts and gaining approval for payment from memorandum revenues of the dues owed by the Authority to the World Meteorological Organization (WMO).

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed **Al-Humaimidi**
Chargé d'affaires a.i.

01-23994 (E) 060201 060201

Annex to the letter dated 5 February 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General

I refer to the many letters I have addressed to you concerning the practice of certain members of the Security Council Committee established by resolution 661 (1990) of placing on hold contracts concluded by Iraq pursuant to the memorandum of understanding signed by Iraq and the Secretariat of the United Nations on 20 May 1996.

On this occasion I should like to refer to the contracts concluded by the Iraqi Meteorological and Seismological Authority, part of the Ministry of Transport and Communications, under phase VII of the memorandum of understanding. Six contracts are involved (Nos. 701684, 701685, 701686, 701688, 701848 and 702370). They have been placed on hold by the representative of the United States on the Security Council Committee established by resolution 661 (1990) on the pretext that there is a need to seek technical clarification or that some of the materials involved are covered by Security Council resolution 1051 (1996).

Most of the equipment currently owned by the Iraqi Meteorological and Seismological Authority is either unusable because of lack of maintenance and spare parts or has become completely outdated and incompatible with the technological developments that have taken place in the meteorological and seismological field. The situation is exacerbated by the Authority's inability to exchange relevant data: its membership of the World Meteorological Organization (WMO) has been suspended for the past 10 years because it has not had access to the hard currency necessary to pay its annual dues and is therefore denied the exchange of data usual in the field.

The equipment for which the Authority has concluded contracts under phase VII of the memorandum of understanding is the normal equipment owned by every civil meteorological authority in the world and intended for civilian use. Advice may be sought from WMO, one of the specialized agencies in this field, as to the nature and purely civilian uses of this equipment.

In view of the foregoing, I request you to exert every effort with a view to lifting the holds placed on the aforementioned and other humanitarian contracts and gaining approval for payment from memorandum revenues of the dues owed by the Authority to WMO, which currently amount to more than 750,000 Swiss francs.

(*Signed*) Tariq **Aziz**
Deputy Prime Minister
Deputy Minister for Foreign Affairs of the Republic of Iraq

United Nations A/55/766–S/2001/110

General Assembly
Security Council

Distr.: General
7 February 2001
English
Original: Arabic

General Assembly
Fifty-fifth session
Agenda item 40
The situation in the Middle East

Security Council
Fifty-sixth year

Letter dated 5 February 2001 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

On instructions from my Government and further to my previous letters on the same subject, I have the honour to convey to you hereunder a list of the violations and infringements that were committed by Israel against Lebanon in the period from 16 to 31 January 2001. They include the detonation of landmines left behind by the Israeli occupation, which injured six persons and caused serious damage. Lebanon regards these incidents as an extension of Israel's aggression against its people and territory.

16 January 2001

At 0830 and 0840 hours Israeli forces proceeded to blast a number of rocks in the vicinity of their outpost at Mazra`at Fashkul in the occupied Shab`a farmlands.

At 0830 hours the sound of an explosion was heard coming from the Metullah settlement.

At 0940 hours a very large Israeli crane was seen operating at the occupied Ramta site in the occupied Shab`a farmlands in Hasbayya district.

At 1050 hours sounds of explosions were heard coming from the occupied Shab`a farmlands.

At 1150 hours Israeli enemy forces at the Ruwaysat al-Alam outpost in the occupied Shab`a farmlands directed a number of bursts of medium-weapons fire at the surrounding area.

At 1155 hours six large Israeli gunboats were seen patrolling in an area alongside Lebanese territorial waters.

At 1325 and 1410 hours Israeli forces at the Ruwaysat al-Alam and Ruwaysat al-Summaqah outposts in the occupied Shab`a farmlands directed a number of bursts of medium-weapons fire at surrounding areas. They also installed a camera mounted on a pole some 10 metres high at their Ruwaysat al-Alam outpost in the same area.

01-24058 (E) 090201 140201

Between 1605 and 1630 hours Israeli enemy forces at Ruwaysat al-Alam hill and Summaqah hill in the occupied Shab'a farmlands directed a number of bursts of medium-weapons fire at the surrounding area.

Between 2030 and 2055 hours Israeli enemy forces at one of their outposts in the occupied Shab'a farmlands launched several illumination flares over the area around their outpost at Ruwaysat al-Alam, also in the Shab'a farmlands.

17 January 2001

Between 1325 and 1340 hours Israeli enemy forces at the Ruwaysat al-Alam and Summaqah outposts in the occupied Shab'a farmlands directed a number of bursts of medium-weapons fire at surrounding areas.

At 1355 hours Israeli enemy forces at the Ramta hill and Summaqah hill outposts in the occupied Shab'a farmlands fired a number of direct-fire rounds and directed bursts of medium-weapons fire at the Shanuh locality in an outlying area of Kafr Shuba in the liberated zone. Sabir Abd al-Al (15, mother's name A'ishah, and a native and resident of Kafr Shuba), who was tending sheep in the area, was wounded in the back by flying stones.

At 1600 hours the same forces fired several direct-fire rounds and directed a number of bursts of medium-weapons fire at the same area.

Between 1915 and 2000 hours two Israeli helicopters overflew the occupied Shab'a farmlands. One of them set down near the Summaqah hill outpost, and then both of them left the area.

At 1945 hours two Israeli helicopters overflew the Ruwaysat al-Summaqah and Birkat al-Ba'tin area in the Jall al-Ahmar locality in an outlying area of Kafr Shuba [and strafed it with] automatic-weapons fire. They withdrew at 2005 hours.

Between 1935 and 2015 hours Israeli enemy forces at the Ramta hill, Summaqah hill and Ruwaysat al-Alam outposts in the occupied Shab'a farmlands fired several 120-mm mortar rounds and directed a number of bursts of medium-weapons fire at the surrounding area.

At 2145 hours Israeli enemy forces launched several illumination flares over Ruwaysat al-Summaqah and Ramta in an outlying area of Kafr Shuba and an Israeli reconnaissance aircraft overflew the locality.

18 January 2001

At 0805 hours the sounds of several explosions were heard coming from the Ramta vicinity in the occupied Shab'a farmlands.

At 1010 hours sounds of explosions were heard coming from the Ramta locality in the Shab'a farmlands.

Between 1030 and 1040 hours Israeli warplanes overflew the Bint Jubayl area at very high altitudes.

At 1200 hours Israeli enemy forces opened fire from their outpost at Ruwaysat Ramta on the Shaluh locality in an outlying area of Kafr Shuba. This was followed by an artillery bombardment of the liberated territories in an outlying area of Kafr Shuba from the Ruwaysat al-Summaqah outpost.

At 1205 hours the sounds of an explosion and of bursts of automatic-weapons fire were heard coming from Ramsa hill in the occupied Shab`a farmlands.

At 1220 hours the sounds of five explosions and of bursts of intermittent medium-weapons fire were heard coming from the vicinity of the Israeli outpost at Ramsa.

At 1230 hours two mortar rounds fired from the occupied Israeli outposts at Summaqah and Ruwaysat al-Alam in an outlying area of Kafr Shuba impacted in the Riba` al-Tibn locality and in the area of the two liberated localities that are both known as Adhra.

Between 1205 and 1215 hours Israeli forces fired two direct-fire rounds and directed a number of bursts of medium-weapons fire at Mazra`at Bastara in the liberated territories from their outpost at Ramta hill (in the occupied Shab`a farmlands).

Between 1625 and 1635 hours Israeli forces at an outpost in the occupied Shab`a farmlands fired several 120-mm mortar rounds and directed a number of bursts of medium-weapons fire at areas around their Ramta hill and Summaqah hill outposts in the same area.

A patrol by personnel of the Indian contingent of the United Nations Interim Force in Lebanon (UNIFIL) came under fire from the occupied Israeli outposts at Summaqah and Ramta while they were investigating the damage caused by the Israeli bombardment of the Shanuh locality in an outlying area of Mazra`at Hilta in Hasbayya district on 17 January.

19 January 2001

At intervals between 0835 and 1200 hours Israeli forces strafed areas around their outposts at Ramta hill, Ruwaysat al-Alam and Summaqah (in the occupied Shab`a farmlands) with medium-weapons fire.

21 January 2001

At 1635 hours the sounds of two unexplained explosions were heard coming from the Abbasiyah-Mazra`at Fashkul road in the occupied Shab`a farmlands.

Between 1640 and 1715 hours two Israeli helicopters flew over the aforesaid road.

Between 1900 and 1930 hours two Israeli helicopters flew over the Israeli forces position at Summaqah hill in the occupied Shab`a farmlands.

Between 2030 and 2050 hours the same forces launched several illumination flares over the Birkat Ba`sa'il vicinity in the occupied territories.

At intervals between 2030 and 2230 hours two Israeli helicopters overflew the vicinity of the Israeli forces' outposts at Ramta, Ruwaysat al-Alam, Bastara, Tall al-Abbad and Misgav Am before leaving in the direction of the occupied territories.

22 January 2001

At 1035 hours Israeli warplanes overflew the Shab`a farmlands.

At 1100 hours the sounds of four large explosions were heard coming from the vicinity of the Fashkul site south of Majidiyah near the approach to Mughr Shab`a at the foot of Mount Hermon (Jabal al-Shaykh).

Between 1100 and 1445 hours Israeli forces blasted the rocks along the road leading to their outpost at Mazra`at Fashkul in the occupied Shab`a farmlands.

Between 1135 and 1445 hours Israeli forces at the Ramta hill outpost fired three 120-mm mortar rounds and directed a number of bursts of medium-weapons fire at Mazra`at Shanuh in the occupied Shab`a farmlands and at areas around the outpost itself.

At intervals between 1015 and 1420 hours Israeli warplanes overflew the Hasbayya, Tibnin and Naqurah areas and the occupied Shab`a farmlands at very high altitudes, breaking the sound barrier over the Naqurah area.

Between 1815 and 1820 hours Israeli forces at the Mazra`at Fashkul outpost in the occupied Shab`a farmlands directed a number of bursts of medium-weapons fire at surrounding areas.

Between 1940 and 1955 hours an Israeli helicopter flew over Mazra`at Fashkul in the Shab`a farmlands.

Between 2040 and 2100 hours Israeli forces in the occupied territories launched several illumination flares over the same areas opposite the towns of Rumays and Yarun and two Israeli helicopters flew over the territories indicated opposite the towns of Aytrun and Blida.

Between 2115 and 2155 hours two Israeli helicopters flew over the outpost at Ramta hill in the Shab`a farmlands.

At 2230 hours Israeli forces at one of the outposts in the occupied Shab`a farmlands launched an illumination flare over the Ras outpost in the same area.

24 January 2001

From 0700 hours movement of trucks and other Israeli military vehicles was reported at the Summaqah site in an outlying area of Kafr Shuba in Hasbayya district.

At 1010 hours Israeli warplanes overflew the South at very high altitudes.

Between 1000 and 1045 hours Israeli warplanes overflew the South and Mount Lebanon at very high altitudes.

25 January 2001

At 1730 hours the sound of an explosion was heard coming from Shu`ayrah hill in an outlying area of Mari in Hasbayya district near the position of the Indian contingent of UNIFIL.

Between 2245 and 2255 hours Israeli warplanes overflew the Western Bekaa at very high altitudes.

26 January 2001

Between 1115 and 1200 hours Israeli forces at the Ramta hill, Ruwaysat al-Alam and Summaqah outposts in the occupied Shab`a farmlands directed a number of bursts of medium-weapons fire at surrounding areas.

Between 1800 and 1845 hours Israeli forces at the Ramta hill and Mazra`at Fashkul outposts in the occupied Shab`a farmlands fired several 120-mm mortar rounds and direct-fire rounds and directed a number of bursts of medium-weapons fire at surrounding areas and at Mazra`at Bastara. Two Israeli helicopters also flew over the Shab`a farmlands and directed a number of bursts of medium-weapons fire at areas around the two outposts.

27 January 2001

At 1245 hours movement by Israeli tanks was reported at Mazra`at Ramta, one of the occupied Shab`a farmlands in Hasbayya district.

At 1540 hours Israeli forces strafed the area around their outpost at Ramta hill (in the occupied Shab`a farmlands) with medium-weapons fire.

Israeli forces at the Ramta hill and Mazra`at Fashkul outposts in the occupied Shab`a farmlands having fired several mortar rounds and direct-fire rounds and having directed a number of bursts of medium-weapons fire at surrounding areas, it transpired that one Muhammad Habib Faqih (born in 1970, mother's name Fatimah, and a native and resident of Burj al-Shamali) was wounded in the left foot by shrapnel and was taken away by ambulance on the same day. In the bombardment of Mazra`at Bastarah two members of the Popular Front for the Liberation of Palestine were also killed.

28 January 2001

Between 0950 and 1025 hours an Israeli reconnaissance aircraft overflew the occupied Shab`a farmlands at very high altitude.

At intervals between 1000 and 1200 hours Israeli warplanes overflew all parts of Lebanon at very high altitudes, breaking the sound barrier.

At 1210 hours an Israeli gunboat off Ra's al-Naqurah outside Lebanese territorial waters fired several bursts of medium-machine-gun fire in all directions.

Between 1330 and 1415 hours Israeli warplanes overflew the South and the Shuf at various altitudes and were engaged by the Army's ground-based anti-aircraft units.

At 1835 hours an Israeli gunboat outside Lebanese territorial waters off Ra's al-Naqurah launched two illumination flares.

At 2240 hours an Israeli gunboat outside Lebanese territorial waters off Ra's al-Naqurah fired two projectiles of unknown type and unknown calibre and directed a number of bursts of medium-weapons fire in all directions.

29 January 2001

Between 0800 and 1300 hours Israeli warplanes overflew the South at very high altitudes and reached as far as the North.

Between 1330 and 1345 hours Israeli warplanes overflew the Nabatiyah area at very high altitudes.

Between 1640 and 1700 hours an Israeli reconnaissance aircraft overflew the occupied Shab`a farmlands. Two Israeli helicopters also flew over the two outposts of the Israeli enemy at Ramta hill and Mazra`at Fashkul in the same area before leaving in the direction of the occupied territories.

Between 2105 and 2125 hours two Israeli helicopters flew over the Israeli enemy's outpost at Ruwaysat al-Alam in the occupied Shab`a farmlands before leaving in the direction of the occupied territories.

30 January 2001

At 0740 hours the sound of a large explosion was heard coming from the occupied Shab`a farmlands.

At 0910 hours Israeli forces proceeded to blast the rocks along the road between their two outposts at Mazra`at Fashkul and Ramta in the occupied Shab`a farmlands. Israeli bulldozers are engaged in earthmoving work along that road.

Between 1030 and 1345 hours Israeli warplanes overflew the occupied Shab`a farmlands and the Nabatiyah area at very high altitudes, breaking the sound barrier. An Israeli reconnaissance aircraft also overflew the Shab`a farmlands and the Tyre, Nabatiyah and Jazzin areas at very high altitude.

Between 1300 and 1400 hours an Israeli reconnaissance aircraft overflew the Bekaa area as far as Ba`labakk at very high altitude.

Between 1800 and 1900 hours Israeli forces along the Lebanon-Israel boundary opposite Yarin opened fire with medium machine guns.

Between 1900 and 2000 hours two Israeli helicopters overflew the Israeli forces' outposts at Abbad, Ramta and Abbasiyah, the occupied Shab`a farmlands and an offshore area in Israeli territorial waters near Ra's al-Naqurah.

Between 2205 and 2245 hours Israeli warplanes overflew the occupied Shab`a farmlands and the Marj Uyun area at very high altitudes.

Between 2250 and 2325 hours two Israeli helicopters overflew the Shab`a farmlands and an offshore area in Israeli territorial waters near Ra's al-Naqurah.

31 January 2001

Between 1000 and 1145 hours Israeli warplanes overflew the South and Mount Lebanon at very high altitudes.

Between 1500 and 1645 hours two Israeli helicopters overflew the occupied Shab`a farmlands.

At 1620 hours the same helicopters fired two air-to-surface missiles that impacted in an outlying area of Shab`a (in the liberated territories), strafed the surrounding area with medium-weapons fire and released a number of heat balloons.

Detonation of landmines

13 January 2001

At 1600 hours Husayn Hasan Hammud, a 21-year-old Lebanese, was brought to the Nabatiyah government hospital after being wounded in the arm when an unidentified object exploded in his right hand at the former Suwayda outpost.

17 January 2001

At 1600 hours Ali Ra'uf Ayyub, a 19-year-old Lebanese, was brought to the Marj Uyun government hospital after being wounded in various parts of the body when an unidentified object exploded while he was on a hunting trip at Hula near Abbad.

18 January 2001

At 1400 hours, Muwaffaq Nayif Mahdi, a 27-year-old Lebanese, was tending five head of cattle in the vicinity of an outpost formerly occupied by Israeli enemy forces in the Bayt Yahun area when he lost control of them and they entered a minefield. Two landmines exploded, killing two of the animals and injuring the others.

Like the previous Israeli violations of which it represents a continuation, this latest series is in flagrant violation of Security Council resolution 425 (1978) and of Lebanon's sovereignty and poses a threat to stability in the region.

I should be grateful if you would have this letter circulated as a document of the General Assembly, under agenda item 40, and of the Security Council.

(*Signed*) Sélim **Tadmoury**
Ambassador
Permanent Representative

United Nations A/55/767-S/2001/111

General Assembly
Security Council

Distr.: General
6 February 2001

Original: English

General Assembly
Fifty-fifth session
Agenda item 164
Measures to eliminate international terrorism

Security Council
Fifty-sixth year

Letter dated 6 February 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

I wish to draw your attention to yet another breach of the Blue Line that has jeopardized security along Israel's northern border.

On Friday evening, 26 January 2001, a terrorist cell attempted to infiltrate Israeli territory from Lebanon. Soldiers of the Israel Defence Forces spotted several armed men on the Israeli side of the Blue Line in the area of Har Dov, in the vicinity of the Shab'a Farms, and opened fire, killing two terrorists and wounding a third as he escaped back into Lebanon. The Popular Front for the Liberation of Palestine claimed responsibility for the attack and called for a continuation of the armed struggle against Israel.

Israel holds the Government of Lebanon fully responsible for this latest violation of the Blue Line. Unfortunately, this is yet another in a growing list of violations that have occurred in the wake of Israel's withdrawal from Lebanon, in full compliance with Security Council resolution 425 (1978). I have detailed these violations in a series of letters over the last several months, most recently in my letters of 26 November 2000 (S/2000/1121), 23 October 2000 (S/2000/1011), 19 October 2000 (S/2000/1002) and 7 October 2000 (S/2000/969).

To date, the Government of Lebanon has failed to take the steps required of it under Security Council resolutions 425 (1978) and 1310 (2000), specifically the return of its effective authority through the deployment of the Lebanese armed forces in the area, and the preservation of a calm environment throughout the south. This failure was underscored as recently as 30 January 2001, when the Council adopted resolution 1337 (2001) welcoming the report of the Secretary-General on the United Nations Interim Force in Lebanon of 22 January 2001 (S/2001/66), reconfirming Israel's compliance with resolution 425 (1978) and reiterating its call on the Government of Lebanon to "ensure the return of its effective authority and presence in the south, and in particular to increase the rate of the deployment of the Lebanese armed forces" and to "ensure a calm environment throughout the south" (resolution 1337 (2001), paras. 5 and 6).

01-23988 (E) 060201

Israel calls, once again, upon the Government of Lebanon to fulfil its obligations pursuant to the resolutions of the Security Council, to deploy its armed forces up to the Blue Line and to restore peace and security to our common border.

I should be grateful if you would arrange to have the text of the present letter circulated as a document of the General Assembly, under agenda item 164, and of the Security Council.

(*Signed*) Yehuda **Lancry**
Permanent Representative

United Nations S/2001/112

Security Council

Distr.: General
6 February 2001
English
Original: French

Letter dated 2 February 2001 from the Permanent Representative of Sweden to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the statement regarding the recent upsurge in violence in Mitrovica issued on 2 February 2001 by the Presidency of the European Union on behalf of the European Union (see annex).

I should be grateful if you would arrange to have the text of this letter and its annex circulated as a document of the Security Council.

(*Signed*) Pierre **Schori**
Permanent Representative

01-24046 (E) 070201 070201

Annex to the letter dated 2 February 2001 from the Permanent Representative of Sweden to the United Nations addressed to the Secretary-General

[Original: English and French]

Statement regarding the recent upsurge in violence in Mitrovica issued on 2 February 2001 by the Presidency of the European Union on behalf of the European Union

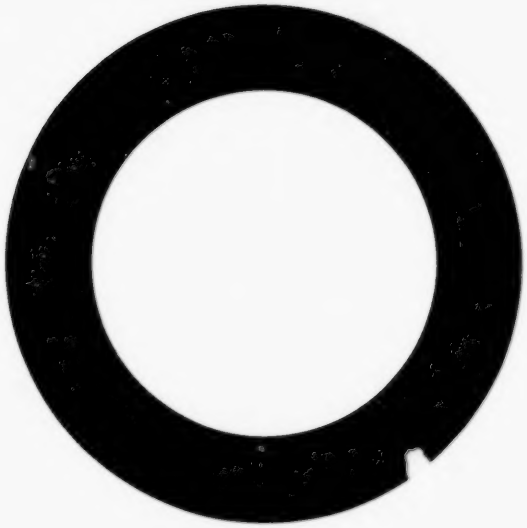
The European Union is deeply concerned about the recent upsurge of violence in the town of Mitrovica, Kosovo. It reiterates its strong condemnation of all acts of violence and public disturbances. Such incidents severely jeopardize confidence-building between ethnic communities and undermine the activities of the members of the international community who work in the interest of the people of Kosovo.

The European Union deplores the violence and threats directed against the international presence, in particular KFOR soldiers and local civilian staff, in the Mitrovica area in recent days.

The European Union, once again, reiterates its full support for Security Council resolution 1244 (1999) and its commitment to a multi-ethnic and undivided Kosovo, where all inhabitants can live in a safe and secure environment. It reaffirms its strong support for the efforts of UNMIK and KFOR in the implementation of Security Council resolution 1244 (1999) carried out under strenuous conditions.

Kosovo is benefiting from substantial international political, military and financial support aimed at creating conditions for a peaceful and prosperous future. This support requires the active cooperation of all citizens of Kosovo and their leaders.

The European Union calls on the political leaders in Kosovo to exercise their influence and to take immediate and concrete action to stop the violence and calm the tense situation in the area of Mitrovica.



United Nations S/2001/113

Security Council

Distr.: General
6 February 2001

Original: English

Letter dated 4 February 2001 from the Chargé d'affaires a.i. of the Permanent Mission of the Sudan to the United Nations addressed to the President of the Security Council

Upon instructions from my Government, I have the honour to convey to Your Excellency the comments of the Ministry of External Relations of the Republic of the Sudan as regards allegations against the Sudan by the Government of the Republic of Uganda as contained in document S/2001/84 dated 24 January 2001.

I should be grateful if you would have these comments circulated as a document of the Security Council.

(*Signed*) Mubarak Hussein **Rahmtalla**
Chargé d'affaires a.i.

01-24034 (E) 070201 070201

Annex to the letter dated 4 February 2001 from the Chargé d'affaires a.i. of the Permanent Mission of the Sudan to the United Nations addressed to the President of the Security Council

[Original: Arabic]

Ministry of External Relations of the Republic of the Sudan

Comments on the claims and excuses advanced by the Government of Uganda concerning its invasion of the Democratic Republic of the Congo

With reference to Security Council document S/2001/84 of 25 January 2001, which contains comments by the Government of Uganda on the interim report of the United Nations Expert Panel on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo (S/2001/49), I have the honour to convey to you our observations on paragraph 15 of that document, in which it is claimed that Uganda invaded the Democratic Republic of the Congo in order to protect its security interests against Sudanese-backed rebels.

1. This is not the first time the Government of Uganda has tried to make excu for its aggression against and invasion of the territory of a State that is a Member of the United Nations and the Organization of African Unity in flagrant violation of the respective Charters of the two organizations. What is odd, though, is that in its letters Uganda has candidly admitted to the Security Council that it proceeded to invade the Democratic Republic of the Congo in order to protect its security interests and without heed for the international covenants and conventions that regulate relations between States and safeguard international peace and security. This is a twisted logic that, in theory, would justify any other State in attacking Uganda on the same grounds, given that many of Uganda's neighbouring States face grave security threats originating in Ugandan territory and given the direct support of the Ugandan Government for terrorists, outlaws, mercenaries and abductors of children. The admission of its invasion of the Democratic Republic of the Congo that Uganda has presented to the Security Council confirms that it has no regard for the important role being played by the Council or for the provisions of the Charter of the United Nations and the norms of international law.

2. The flimsy excuses advanced by the Government of Uganda for its wanton invasion of the Democratic Republic of the Congo and its comments on the report of the Expert Panel represent a desperate attempt to distract attention from the obvious and undeniable fact of the plunder of the country's wealth — its gold, diamonds and hardwoods — by the members of the corrupt clique in Uganda and its appropriation for their personal profit. This was confirmed by representatives of civil society when they met with the Expert Panel, as indicated in paragraph 27 of the report to the effect that the Ugandan People's Defence Force has confiscated goods and property and has forced citizens to pay taxes to fund the illegal war effort in which it is engaged.

3. The comments of the Ugandan regime to the Security Council lack any trace of credibility, and the allegations made came as no surprise to the Government of the Sudan. Uganda has, indeed, persistently sought to fabricate crises with the Sudan

and it is accustomed to showing its contempt for world public opinion by making artless claims that lack logic or objectivity and offend against reason. Indeed, the Ugandan regime should be the first to know that the claims it has made concerning its involvement in the Democratic Republic of the Congo in order to contain an imaginary threat from the Sudan are groundless and unsupported by any evidence. Its statements concerning the Sudan's support for "rebels and their allied genocidaires" seek to create a political linkage between the Sudan and perpetrators of crimes of genocide whose criminal acts are constantly condemned by the Government of the Sudan on all possible occasions and in all possible forums.

4. The comments in question are to be regarded as pretexts given currency by the Ugandan regime for purposes of aggression against the Sudan. This is confirmed by the statement made by the Ugandan President on 26 January 2001 on the occasion of the anniversary of his accession to power in his country, when he said that he would undertake military operations inside the Sudan as he had done in the Democratic Republic of the Congo. Anyone who has eyes to see is aware that Uganda has become a source of instability in the Great Lakes region, as is confirmed by the expansionist ambitions of its leaders and their endeavour to establish imaginary empires over the skulls of the innocent among the peoples of the region.

5. In closing, we should like to state that Uganda is still required to cooperate fully with the Security Council Expert Panel and to enable it to clarify the facts concerning the charges made against it of plundering the wealth of the Democratic Republic of the Congo. It must do this instead of raising distracting issues in order to justify its brutal aggression against the Democratic Republic of the Congo and the subsequent plunder of its natural resources.

United Nations S/2001/114

Security Council

Distr.: General
7 February 2001

Original: English

Identical letters dated 6 February 2001 from the Permanent Representative of Bosnia and Herzegovina to the United Nations addressed to the Secretary-General and to the President of the Security Council

I have the honour to present to you a letter dated 5 February 2001, from His Excellency Mr. Ante Jelavić, Croat Member of the Presidency of Bosnia and Herzegovina (see annex), addressed to you. Kindly circulate the present letter and its annex as a document of the Security Council.

(*Signed*) Muhamed **Sacirbey**
Ambassador
Permanent Representative

01-24165 (E) 070201

Annex to the identical letters dated 6 February 2001 from the Permanent Representative of Bosnia and Herzegovina to the United Nations addressed to the Secretary-General and to the President of the Security Council

The democratically elected leadership of the Croat constituent community in Bosnia and Herzegovina should like refer to the recent decision by the Mission of the Organization for Security and Cooperation in Europe (OSCE) to Bosnia and Herzegovina (BiH) which revised the election rules and procedures in respect of the national elections held on 11 November 2000.

This decision represents a legal and constitutional precedent — a clear violation of the General Framework Agreement for Bosnia and Herzegovina (DPA), and a gross affront to the equality of one of the constituent peoples in BiH. Moreover, the decision may become a major source of instability in the country, because it attempts to illegally, and by fiat, change the internal organization of BiH, and thereby, the whole concept of sharing of power established by the DPA.

For two years now, we have been alerting the international community that the Croat community in BiH has been turning away from the Dayton-Paris agreement (DPA) in substantial numbers. The United States Information Agency has measured this drop in support from two in three to only one in three. This is significant, since the support in the other two constituent communities, the Bosniaks and the Serbs, has remained high and notably increased, respectively, according to the same source.

This gloomy statistic is further confirmed on the ground. Since the signing of the DPA, the Croats have left BiH in largest numbers, and as refugees and displaced persons returned in the smallest numbers. This is all the more troubling, when its leadership has been most forthcoming in this respect, and has returned the largest proportion of minorities into the Croat-majority areas. The Croats have returned 38 per cent of minorities, the Bosniaks 10 per cent and the Serbs 4 per cent.

This leadership has sought to engage the international community in a dialogue, to find ways to stop and reverse this negative trend, and to integrate the Croat community into Bosnia and Herzegovina as an equal to the two other communities — a right ingrained in our common Constitution. Various steps have been taken, including two letters to your predecessor, of 29 February 2000 (S/2000/170 of 2 March 2000), and of 23 March 2000 (S/2000/248 of 23 March 2000). Unfortunately, our calls have gone unanswered, and the high international authorities in Bosnia and Herzegovina continue to interpret and implement the already unbalanced DPA to the continuing detriment of the constituent community this leadership was elected to represent.

The above-mentioned OSCE decision on the mode of electing Croat representatives to the House of Peoples of the Federation of Bosnia and Herzegovina deprives the Croat nation of its by the Constitution enshrined constitutivity and of its right to elect its own representatives to this institution for the protection of vital national interests. This represents a kind of a precedent as no similar mechanism in the world, particularly including the principle of the "Alarm Bell" in the Kingdom of Belgium, does not enable the representatives of one nation to influence the election of the representative of another nation to the bodies of the protection of vital national interests. Unless the Provisional Rules and Regulations

from the Election Law for BiH are harmonized and unless they take the direction of standardization of rights of the nations in the electoral process, Croats will in a very short time be turned from a constituent nation into a national minority.

The representative of the OSCE in Bosnia and Herzegovina, Ambassador Robert Berry, has said that the decision is "unconstitutional, but democratic". This obvious contradiction reinforces the legitimacy of our plight and demands. It clearly points to the problem that lies in the DPA itself and its necessary reformulation, in the direction of equality and standardization of rights and political institutions for all three communities.

The fact that the Constitutional Court of BiH expressed itself as non-competent for assessing the constitutional status of the OSCE Decision on the mode of electing representatives to the House of Peoples speaks in favour of our justified attempts to point out to the inconsistency and wrong direction of the implementation of Dayton Peace Agreement. That is another proof of the tendency to change fully the political concept agreed upon in Dayton. The disruptive meddling of some parts of the international community into everyday political events and creation of post-election coalitions is an integral part of that political concept which represents a blow at the basic of the Dayton Agreement — the equality of three constituent nations in the political life and BiH institutions. The ethnical principle in the process of government formation on behalf of democratic principle and individual rights, included in Dayton Agreement, is totally neglected. In our concrete case, the political will of almost the whole Croat nation corpus in BiH is being neglected, what represents at the same time the violation of the BiH Constitution.

This communication is a legitimate protest, and in no way should it be viewed as an affront to the territorial integrity and political independence of Bosnia and Herzegovina, nor to the co-sovereignty of neither of its two other constituent communities, nor to the original noble intentions of the international community. It is made, however, with the sincere hope that it will finally spur the first efforts to interpret and implement the DPA in a manner that will protect and standardize the constituency of the Croat community, for the benefit not only of that community, but also of Bosnia and Herzegovina, its neighbours and its friends.

We would like once again to point out the fact that the only possible way of changing the Dayton Agreement is the same way in which it was created — by the will of three constituent nations or by a new international conference. For this reason, we are of the view that the Security Council should debate the opportunity to mandate a conference to review the implementation of the Dayton Peace Accords and necessary revision thereto. For this purpose, we would request a meeting of the Security Council at the earliest possible time.

(*Signed*) Ante **Jelavić**
Croat member of Bosnia and Herzegovina Presidency

United Nations S/2001/115

Security Council

Distr.: General
7 February 2001
English
Original: Arabic

Letter dated 5 February 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General

Further to my letter dated 24 January 2001 addressed to you (S/2001/85) and on instructions from my Government, I have the honour to transmit to you herewith a letter dated 4 February 2001 from Mr. Tariq Aziz, Deputy Prime Minister and Acting Minister for Foreign Affairs of Iraq. Appended to the Minister's letter is a table showing violations of Iraq's international boundaries committed by United States and British warplanes flying across the demilitarized zone monitored by the United Nations Iraq-Kuwait Observation Mission (UNIKOM) in the period from 1 to 26 January 2001.

The Minister urges you to secure the necessary technical systems to enable UNIKOM to perform its functions in the manner required by its mandate under the relevant Security Council resolutions and to track and identify all of these violations and encroachments, which constitute wanton aggression against Iraq and against its people, its sovereignty and its territory and are incompatible with the relevant Security Council resolutions, the Charter of the United Nations and the norms of international law.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed **Al-Humaimidi**
Chargé d'affaires a.i.

01-24265 (E) 080201 120201

Annex to the letter dated 5 February 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General

Further to my letter dated 24 January 2001 addressed to you (S/2001/85, annex), I should like to inform you that United States and British warplanes committed 183 violations of Iraq's international boundaries by way of the demilitarized zone monitored by the United Nations Iraq-Kuwait Observation Mission (UNIKOM) in the period from 1 to 26 January 2001. On the basis of the table appended to this letter, the relevant Iraqi authorities have determined that the violations committed were as follows:

1. Armed and hostile aerial activity by the United States and the United Kingdom, violating our international boundaries from the demilitarized zone, comprised 183 sorties in the following governorates: Basrah, Maysan, Dhi Qar, Qadisiyah, Muthanna, Najaf and Wasit.

2. Our technical systems identified the aircraft violating Iraq's airspace on an almost daily basis as American F-14s, F-15s, F-16s and F-18s and British Tornadoes.

3. All of the armed and hostile sorties that violated Iraq's airspace from the demilitarized zone received support from AWACS aircraft operating inside Saudi Arabian airspace and E-2C aircraft operating inside Kuwaiti airspace.

All of the violations in question were committed by way of the demilitarized zone in which UNIKOM is stationed. UNIKOM has the responsibility of monitoring such hostile military operations and reporting them immediately or, at the very least, including information in their regard in the periodic reports that it submits to you and thence to the Security Council for purposes of documentation. The members of the Council and the international community in general may thus be informed of such violations and military encroachments committed by the United States and the United Kingdom so that they may act to take appropriate measures to halt them.

The statements of UNIKOM to the effect that it is unable to monitor or identify these aircraft cannot be maintained in the light of the scientific and technological capabilities that are available or that UNIKOM is in a position to obtain and utilize in order to fulfil the requirements of its mandate by establishing the identity and country of the warplanes that are violating Iraq's sovereign airspace.

I accordingly urge you to secure the systems that will allow UNIKOM to perform its functions in the manner required by its mandate under the relevant Security Council resolutions by identifying all of these violations and encroachments, which constitute wanton aggression against Iraq and against its people, its sovereignty and its territory and are incompatible with the relevant Security Council resolutions, the Charter of the United Nations and the norms of international law.

(*Signed*) Tariq **Aziz**
Deputy Prime Minister and Acting Minister for Foreign Affairs

Appendix

Hostile aerial activity violating Iraq's international boundaries from Kuwait, 1-26 January 2001

No	*Date*	*From*	*Time*	*Type*	*Sorties*	*Altitude (metres)*	*Speed (km h)*	*Areas overflown*
1	1-7 January	Kuwait	1222-1400	F-14, F-15, F-16, F-18, Tornado	48	10,000-12,000	720-780	Basrah, Amarah, Qurnah, Busayyah, Shatrah, Diwaniyah
2	8-14 January	Kuwait	0900-2025	F-14, F-15, F-16, F-18, Tornado	63	11,000-12,000	720-780	Chabayish, Samawah, Ashbajah, Qurnah, Amarah, Nasiriyah, Qal`at Salih
3	15-21 January	Kuwait	1100-2225	F-14, F-15, F-16, F-18, Tornado	46	10,000-12,000	720-780	Diwaniyah, Hashimiyah, Nasiriyah, Amarah, Samawah
4	22-26 January	Kuwait	1030-1600	F-14, F-15, F-16, F-18, Tornado	26	10,000-12,000	720-780	Qurnah, Busayyah, Ashbajah, Amarah, Basrah, Samawah

Total sorties: 183

United Nations S/2001/116

Security Council

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7 February 2001
English
Original: Arabic

Identical letters dated 5 February 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 4 February 2001 from Mr. Tariq Aziz, Deputy Prime Minister and Acting Minister for Foreign Affairs of Iraq. The Minister calls attention to the ongoing wanton aggression against Iraq by United States and British aircraft in the unlawful no-flight zones and to the fact that in the period from 17 to 25 January 2001 they carried out 215 sorties, 87 of them from Saudi Arabia, 40 from Kuwait and 88 from Turkey.

The Minister reaffirms the Government of Iraq's condemnation of these acts of aggression against Iraqi territory, and he states that international responsibility for them must be borne by the United States of America, the United Kingdom and the countries that provide the logistic support for this aggression, namely Saudi Arabia, Kuwait and Turkey. He urges you to perform the duties assigned to you under the Charter by halting this unwarranted aggression and ensuring that it does not recur.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed **Al-Humaimidi**
Chargé d'affaires a.i.

Annex to the identical letters dated 5 February 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

I should like to inform you that United States and British warplanes based in Saudi Arabia, Kuwait and Turkey have continued to violate the airspace of the Republic of Iraq. They carried out 215 sorties in the period from 17 to 25 January 2001, 87 of them from Saudi Arabia, 40 from Kuwait and 88 from Turkey, as shown hereunder.

1. In the northern region 88 sorties were flown at speeds of 720 to 780 kilometres per hour and at altitudes of 6,000 to 12,000 metres, as follows:

(a) At 1105 hours on 17 January 2001, United States and British F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 22 missions from Turkish territory, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Mosul, Irbil, Dohuk, Tall Afar, Zakho, Amadiyah and Sinjar areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1435 hours, drove them off.

(b) At 1130 hours on 21 January 2001, United States and British F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 18 missions from Turkish territory, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Mosul, Irbil, Dohuk, Tall Afar, Zakho, Ayn Zalah and Amadiyah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1430 hours, drove them off.

(c) At 1135 hours on 22 January 2001, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 18 missions from Turkish territory, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Zakho, Dohuk, Mosul, Irbil, Aqrah, Tall Afar, Rawanduz and Amadiyah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1500 hours, drove them off.

(d) At 1230 hours on 23 January 2001, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 12 missions from Turkish territory, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Amadiyah, Zakho, Dohuk and Aqrah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1305 hours, drove them off.

(e) At 1145 hours on 24 January 2001, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 18 missions from Turkish territory, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Baibo, Amadiyah, Dohuk, Aqrah, Ayn Zalah, Tall Afar, Irbil and Mosul areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1450 hours, drove them off.

2. In the southern region 127 sorties were flown at speeds of 720 to 780 kilometres per hour and at altitudes of 9,000 to 13,000 metres, as follows:

(a) At 1355 hours on 17 January 2001, United States and British F-14, F-15, F-16, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 22 missions, 14 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and eight from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Nasiriyah, Samawah, Salman, Najaf, Diwaniyah, Amarah, Basrah, Hillah, Nu`maniyah, Karbala' and Lasaf areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1615 hours, drove them off.

(b) At 1250 hours on 18 January 2001, United States and British F-14, F-15, F-16, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 12 missions, six of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and six from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Basrah, Qurnah, Nasiriyah, Samawah, Qal`at Salih, Najaf, Taqtaqanah, Ukhaydir, Karbala' South, Shinafiyah, Artawi and Lasaf areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1410 hours, drove them off.

(c) At 1450 hours on 20 January 2001, United States and British F-14, F-15, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 19 missions, 13 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and six from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Ashbajah, Salman, Basrah, Lasaf, Nasiriyah, Qal`at Sukkar, Karbala', Samawah, Diwaniyah, Shinafiyah, Afak and Najaf areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1630 hours, drove them off.

(d) At 1517 hours on 21 January 2001, United States and British F-15, F-16 and EA-6B aircraft coming from Saudi territory penetrated Iraq's airspace in the southern region. They carried out five missions, were supported by an AWACS command and control aircraft operating inside Saudi airspace and overflew the Salman and Naza'im East areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1800 hours, drove them off.

(e) At 1325 hours on 22 January 2001, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 19 missions, 15 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and four from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Basrah, Nasiriyah, Samawah, Umm Qasr, Ukhaydir West, Diwaniyah, Qal`at Salih, Amarah, Hayy, Ashbajah, Lasaf and Artawi areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1500 hours, drove them off.

(f) At 1250 hours on 23 January 2001, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 30 missions, 20 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and 10 from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Basrah, Jalibah, Nasiriyah, Samawah, Shinafiyah, Lasaf, Ashbajah, Najaf, Karbala', Diwaniyah, Qal'at Sukkar, Amarah, Qal'at Salih, Hayy and Salman areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1510 hours, drove them off.

(g) At 1235 hours on 25 January 2001, United States and British F-14, F-15, F-16 and F-18 aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 20 missions, 14 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and six from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Nasiriyah, Samawah, Salman, Basrah, Hayy, Jalibah, Artawi and Busayyah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1420 hours, drove them off.

This aggression illustrates the bellicose attitude being maintained by the United States of America and the United Kingdom towards Iraq. Since 1992, it has become a fixed policy aimed at undermining the country's sovereignty, independence and territorial integrity and at the systematic and concerted destruction of Iraqi lives, infrastructure and civilian installations. It is a policy that has been affirmed in successive statements made by United States and British officials.

The Government of Iraq categorically rejects the two so-called no-flight zones, which were imposed by unilateral decision of the United States of America and the United Kingdom and lack any legal basis. Iraq rejects all the consequences of this illegal decision and, in particular, the flimsy excuses and pretexts used by these States in an attempt to justify their military aggression against our country.

The logistic support provided by Saudi Arabia, Kuwait and Turkey to the Americans and the British has made these countries key partners in the aggression being committed against Iraq, so that they bear full international responsibility under international law. This includes liability for full compensation for the loss and damage, in both human and material terms, that is caused by these illegal practices.

The Government of Iraq further renews its call to the countries participating in this aggression to desist forthwith from internationally prohibited acts that violate Iraq's sovereignty, place its security and integrity in grave danger and pose a direct and serious threat to international peace and security.

As it condemns these acts of aggression against civilian targets and Iraqi civilian installations, the Government of Iraq urges you to perform the duties assigned to you under the Charter as they relate to the maintenance of international peace and security by intervening with the governments of the countries in question with a view to inducing them to halt, end and desist from any resumption of their constant and unwarranted aggression against an independent, sovereign State.

(*Signed*) Tariq **Aziz**
Deputy Prime Minister and Acting Minister for Foreign Affairs

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Security Council

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7 February 2001
English
Original: Arabic

Identical letters dated 5 February 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 4 February 2001 from Mr. Tariq Aziz, Deputy Prime Minister and Acting Minister for Foreign Affairs of Iraq. It concerns Iraq's cooperation with the International Committee of the Red Cross (ICRC) and the Saudi authorities in conducting a search for the Saudi pilot Muhammad Salih Nazirah, whose aircraft was shot down by Iraq in 1991 in Iraqi territory, and the finding of his remains.

The Minister affirms Iraq's readiness to continue to investigate the fate of missing persons with those members of the Tripartite Commission and its Technical Subcommittee that actually have personnel who are missing and to do so in cooperation with ICRC. He further calls the attention of the international community to the issue of the 1,142 missing Iraqis and to the fact that the Kuwaiti and Saudi authorities have provided no information in their regard and have refused to cooperate and to disclose their whereabouts.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed **Al-Humaimidi**
Chargé d'affaires a.i.

Annex to the identical letters dated 5 February 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

I should like to call your attention to the fact that, in accordance with its legal obligations under the Geneva Convention and the Security Council resolutions relating to the issue of missing persons, on 19 October 2000 Iraq cooperated with the International Committee of the Red Cross (ICRC) and the Saudi authorities in conducting a search for one of the missing Saudis, namely the Saudi pilot Muhammad Salih Nazirah whose aircraft was shot down by Iraq in 1991 in Iraqi territory. The search resulted in the wreckage of the aircraft being found. An examination of the wreckage by a neutral Swiss aircraft expert working with ICRC showed that the pilot had not succeeded in ejecting from the aircraft at the time of the crash, and the joint team also found the pilot's remains. Acting in coordination with the Saudi authorities, ICRC had a DNA analysis of the remains done at a Swiss laboratory, and it was determined that they were those of the Saudi pilot.

We should like to take this opportunity to state that the result achieved by Iraq in cooperation with ICRC and the Saudi authorities in connection with one missing-persons dossier only strengthens the position that Iraq has long maintained, namely that it is possible to make progress in resolving this humanitarian issue when there are good intentions and when politicization of the issue is avoided.

The issue of the Saudi pilot had absorbed the attention of the Tripartite Commission for four years in succession. In 1997 Iraq announced that it had located the wreckage of the aircraft, and it submitted a proposal that a joint action team should be formed by the Commission to go to the crash site and search for the remains of the pilot. However, as a result of the politicization that characterized the Commission and because Saudi Arabia itself opposed the implementation of Iraq's proposal, with the clear backing of the United States and British members, the issue remained unresolved.

I should also like to advise you that the dossier of the Saudi pilot was full of depositions from witnesses who claimed that the pilot had ejected safely or that they had seen him at Iraqi detention centres. Since 1991, the Saudi authorities had been affirming this to be the case and had accused Iraq of detaining him. They had even gone to the extent of indicating that they had in their possession films and photographs of the pilot at Iraqi detention centres. Since 1991 Iraq had been denying the validity of this information, and the pilot's family had fallen victim to a lie that sought to exploit this humanitarian issue for well known political purposes. The dossier of this Saudi pilot is only one example of the dossiers of missing Kuwaitis and Saudis that contain information whose validity Iraq has long denied and that concern persons on whose fate Iraq has no information.

In presenting these facts and these results to you we reaffirm the position we have maintained, based as it is on our readiness to continue to investigate the fate of missing persons with those members of the Tripartite Commission and its Technical Subcommittee that actually have personnel who are missing and to do so in cooperation with ICRC.

We should also like to bring to your attention and that of the international community the issue of the 1,142 Iraqis missing in Kuwaiti and Saudi territory as well as the fact that the Kuwaiti and Saudi authorities have provided no information in their regard and have refused to cooperate and to disclose their whereabouts.

(*Signed*) Tariq **Aziz**
Deputy Prime Minister and Acting Minister for Foreign Affairs

United Nations S/2001/118

Security Council

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7 February 2001

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Letter dated 7 February 2001 from the Permanent Representative of South Africa to the United Nations addressed to the President of the Security Council

In my capacity as Chair of the Coordinating Bureau of the Non-Aligned Movement, I have the honour to inform you that the Coordinating Bureau met on 6 February 2001 to consider the latest developments concerning the "Lockerbie" issue following the verdict by the Scottish Court sitting in the Netherlands.

The Non-Aligned Movement has affirmed the positive actions and cooperation extended by the Libyan Arab Jamahiriya, without which the agreement among the three parties, the Libyan Arab Jamahiriya, the United Kingdom, and the United States of America, with the involvement of the Secretary-General of the United Nations, would not have been possible.

The Non-Aligned Movement further wishes to submit its satisfaction that the Libyan Arab Jamahiriya has fulfilled all of its commitments in accordance with the relevant Security Council resolutions.

Pursuant to the above, the Non-Aligned Movement has the honour, once again, to request that the Security Council urgently consider the adoption of a resolution on the immediate and complete lifting of the sanctions imposed on the Libyan Arab Jamahiriya.

I should be grateful if the present letter could be circulated as a document of the Security Council.

(*Signed*) Dumisani S. **Kumalo**
Ambassador
Permanent Mission of the Republic of
South Africa to the United Nations